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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Joachim NOACK
Serial No. : 09/973,968
Filed : October 9, 2001
For : **METHOD FOR DETERMINING THE
INTRAPERITONEAL VOLUME AND DEVICE
FOR PERITONEAL DIALYSIS**
Examiner : Aamer S. Ahmed
Art Unit : 3763
Confirmation No. 8345

Mail Stop AF
Commissioner
for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: October 28, 2005 Reg. No. 47,598

Signature: _____

Kevin T. Godlewski

NOTICE OF APPEAL

S I R:

Applicants hereby appeal the Examiner's decision made in the Final Office Action dated May 18, 2005, finally rejecting Claims 1-5.

Applicants also hereby request a one-month extension of time in which to respond to the Final Office Action mailed May 18, 2005, for which a response period expiring August 18, 2005, was set. The extended period expires on October 28, 2005 which is one month from the Advisory Action mailed September 28, 2005. Please charge the \$120.00 fee to the account of Kenyon & Kenyon, Deposit Account No. 11-0600.

11/01/2005 MBELETE1 00000005 110600 09973968

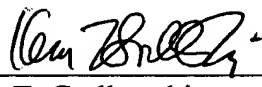
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The Commissioner is hereby authorized to charge payment of the 37 C.F.R..
1.191 Notice of Appeal fee of **\$500.00** to the Deposit Account of Kenyon & Kenyon,
Deposit Account No. 11-0600. The Commissioner is also authorized to charge any additional
fees or credit any overpayment in connection with this paper to Deposit Account No. 11-
0600. Two copies of this Notice are enclosed for these purposes.

Respectfully Submitted,

KENYON & KENYON

Dated: October ~~28~~ 2005

By: 
Kevin T. Godlewski
Reg. No. 47,598

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